



**Chairperson: Bob Wyatt, NW Natural**  
**Treasurer: Fred Wolf, Legacy Site Services for Arkema**

July 16, 2009

Chip Humphrey  
Eric Blischke  
U.S. Environmental Protection Agency, Region 10  
805 SW Broadway, Suite 500  
Portland, OR 97205

**Re: Areas of Potential Concern (Lower Willamette River, Portland Harbor Superfund Site,  
USEPA Docket No: CERCLA-10-2001-0240)**

Chip and Eric:

The LWG has reviewed your letter of June 23, 2009 regarding Portland Harbor Areas of Potential Concern (AOPCs). The LWG continues to maintain its very strong interest in working with EPA to move forward with the next steps of the FS. With this overall objective in mind, the LWG, following EPA's recommendation, is willing to move forward with a preliminary set of AOPCs as identified by EPA. The LWG does this with the understanding that both parties are in agreement that preliminary AOPCs will change in shape and size as the risk assessments and FS proceed.

In general, the LWG agrees with many of the important points explicitly described in your letter, which include the following:

1. The figure attached to the letter depicts the AOPCs that would result from application of the mapping rules discussed and agreed to by both parties. It also depicts EPA's original outlines for the general vicinity of AOPCs.
2. The four agreed upon mapping rules as presented are correct. There was also agreement on an additional rule, which was that the outer extent of AOPCs mapped in this way would not extend beyond EPA's original outlines. The EPA-referenced map includes this rule.
3. Areas mapped using these rules generally include and overlap with areas that might be mapped using risk estimates based on early Preliminary Remediation Goals (PRGs) for other chemicals.
4. There is a "site-wide" AOPC outside the currently mapped "localized" AOPCs, which would represent lower levels of risks.
5. The AOPCs will be refined based on the results of the baseline human health and ecological risk assessments as well as other information discussed with EPA (e.g., additional recently collected sediment chemistry data) and as the FS proceeds.
6. Subsurface sediment chemistry will be included as a consideration in the development of Sediment Management Areas (SMAs).

The letter states that "...the EPA AOPCs identified in the attached figure should be used as the starting point for the Portland Harbor FS." The LWG believes it would be more accurate to characterize the AOPC depictions that result from the agreed to mapping rules as the current focus of the parties' FS discussions. However, in order to maintain progress towards the FS, the LWG is willing to move forward with AOPC refinements based on the EPA characterization with the understanding that:

1. The EPA AOPCs are not the actual outcomes of the mapping rules that were agreed to by the parties.
2. The EPA AOPCs include upland areas that are clearly not part of the sediment AOPCs and have not been studied as part of the Portland Harbor sediments site. For the next steps in the FS, the LWG will limit the landward extent of all AOPCs to the existing shoreline.
3. Monitored Natural Recovery (MNR) is a remedial technology that will be considered within these AOPCs as part of the alternatives screening and evaluation. Selection of MNR as a potential remedial alternative in any part of these areas must be supported by the results of future MNR assessments and models.

Finally, consistent with our recent schedule conversations, we think additional discussion is needed regarding the schedule summarized at the end of the letter given still ongoing discussions about RAOs, ARARs, application of water ARARs to alternative evaluations, as well as potentially some other elements of the FS process.

Sincerely,



Bob Wyatt

cc:     Confederated Tribes and Bands of the Yakama Nation  
          Confederated Tribes of the Grand Ronde Community of Oregon  
          Confederated Tribes of Siletz Indians of Oregon  
          Confederated Tribes of the Umatilla Indian Reservation  
          Confederated Tribes of the Warm Springs Reservation of Oregon  
          Nez Perce Tribe  
          Oregon Department of Fish & Wildlife  
          United States Fish & Wildlife  
          Oregon Department of Environmental Quality  
          LWG Legal  
          LWG Repository